

CIA RETIREMENT BOARD MEETING

2:00 p.m., 12 April 1966

PRESENT: Mr. Emmett D. Echols

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Mr. Alan M. Warfield

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- Chairman
- DDP Member
- DDP Member
- DDS Member
- DDS Member
- DDS&T Member
- Legal Adviser
- Finance Adviser
- Recording Secretary
- Executive Secretary

1. The minutes of the last meeting of the Board were reviewed and approved as presented.

2. The Board reviewed 210 cases of employees who had been nominated for designation as participants in the System, and 2 requests for voluntary retirement. It took action as follows:

a. Recommended designation as a participant in the System and approval of retirement of the following named employee:

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<u>Type of Retirement</u>	<u>Effective Date</u>
Mandatory	31 August 1967 *

25X1A9a* The designation of [REDACTED] was recommended with the proviso that formal personnel action effecting his designation be suspended until it was known that the DCI had approved the request of the Clandestine Services Career Service for an extension of his service from the date of designation until 31 August 1967.

b. Recommended designation as participants of the following named employees with 15 or more years of Agency service, provided they would elect to remain in the System if so designated:

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f. Recommended approval of the requests for voluntary retirement received from the following named participants:

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Effective Date

30 June 1966

31 August 1966

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3. The Chairman referred to the [REDACTED] case discussed at the last meeting of the Board which presented a potential problem that might arise if a participant who was transferred back to the Civil Service Retirement System should die or become disabled before completing one year of service under that System. He stated that such a situation should not present a problem since SEC. 3. (g) of the Civil Service Retirement Act excepts persons separated by reason of death or disability from the one year requirement. The specific language of SEC. 3. (g) is:

"An employee or Member must have, within the two-year period preceding any separation from service, other than a separation by reason of death or disability, completed at least one year of creditable civilian service during which he was subject to this Act before he or his survivors shall be eligible for annuity under this Act based on such separation..."

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4. The Chairman called attention to a memorandum dated 12 April 1966 received from the Legislative Counsel which recommended that the CIA Retirement Board adopt a rule requiring an employee to have at least five years of civilian service before he becomes a participant in the CIA Retirement System. In discussing this matter, [REDACTED] explained that the CIA System and the Civil Service and Foreign Service Systems have a statutory requirement that a participant have at least five years of civilian service for the payment of annuities or death or disability benefits. He pointed out however, that there is impending legislation which would provide certain annuity, death and disability benefits to Civil Service and Foreign Service participants with less than five years civilian service. He stated that this was in keeping with the recent recommendation of the Cabinet Committee on Federal Staff Retirement Systems that the service credit of an employee with less than five years of civilian service should be transferred to Social Security where it would be treated as if it had been performed under Social Security.

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[REDACTED] stated that if the pending legislation becomes law, participants in the Civil Service and Foreign Service Retirement Systems with less than five years of civilian service would be covered under the Social Security System in the event of their death or disability. He stated further that he would recommend that the Board consider not putting a person with less than five years of service under the CIA Retirement System.

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[REDACTED] commented that such a rule would assist in eliminating the problem presented earlier by the Office of Finance of having to make mandatory refunds to participants separating with less than five years of Agency service, but with enough prior Federal service to make them otherwise eligible for a deferred annuity under the Civil Service System.

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After a discussion of this matter there was unanimous agreement that employees with less than five years of civilian service should not be designated as participants in the CIA Retirement System. It was also agreed that an Agency Notice on this subject should be issued at an early date, and that an appropriate revision of the Regulation, to pick up not only five years of total Government service but the five years of Agency service as well, should be prepared as soon as possible. At Mr. Warfield's suggestion, the Board Members indicated their concurrence in such a proposed Notice in order to save the time required for formal coordination by his Office.

5. The Chairman presented the cases of the following named employees of the Security Career Service who had submitted requests for further consideration of their eligibility under the CIA Retirement and Disability System:

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In the case of [REDACTED] the Board noted that he had completed more than fifteen years of Agency service and would therefore be required to have performed a minimum of sixty months of qualifying service. However, it was determined that his periods of verified and claimed qualifying service totaled only thirty-five months and six days, and even if given credit as qualifying service for a fifteen month period upon which a Bureau of Employees Compensation service-connected disability claim had been awarded, he would still have only a total of fifty months and six days that could possibly be credited as qualifying service. Thus, he would not have completed the required minimum of sixty months of qualifying service. It was also noted that [REDACTED] had not adequately defined the periods of domestic service that he was claiming, nor had he submitted any evidence as to specific duties performed or conditions under which they were executed to support his claim.

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In the case of [REDACTED] the Board noted that he too had completed fifteen years of Agency service and that he was claiming service in [REDACTED] as a [REDACTED] as being possibly qualifying service under the CIA Retirement System. It was also noted that without such a period of service [REDACTED] would not have completed the minimum of sixty months of qualifying service required in his case.

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After discussion of the facts as presented in these two cases, it was the unanimous conclusion of the Board that on the basis of the evidence submitted neither [REDACTED] met the requirements for designation as participants in the CIA Retirement and Disability System. It was further agreed that the Director of Personnel would take a posture of assisting people who have a claim to properly and effectively present their case within the terms of the law and the Regulation.

6. The meeting adjourned at 3:10 p.m.

[REDACTED]

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Executive Secretary

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